

Message Text

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ORIGIN IO-14

INFO OCT-01 ISO-00 AF-10 CIAE-00 DODE-00 NSAE-00
NSCE-00 SSO-00 USIE-00 INRE-00 PM-05 H-01 INR-10
L-03 PA-01 SP-02 SS-15 HA-05 TRSE-00 EB-08
COME-00 OMB-01 NRC-05 DOE-11 SOE-02 ACDA-12 AID-05
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C O N F I D E N T I A L STATE 044133

FOR US DEL TO HRC

E.O. 11652: GDS

TAGS: UNHRC, SHUM

SUBJECT: 34TH HUMAN RIGHTS COMMISSION: VOTING INSTRUCTIONS
FOR AGENDA ITEMS 6, 7 AND 18B

REF: (A) GENEVA 2609; (B) GENEVA 2563

1. THERE FOLLOW VOTING INSTRUCTIONS FOR USDEL ON SOUTHERN
AFRICAN RESOLUTIONS. INSTRUCTIONS ARE BASED ON USDEL RE-
COMMENDATIONS (REF A).

2. AGENDA ITEM 6: RESOLUTION L 1380: DEPARTMENT CONCURS
IN RECOMMENDATION THAT USDEL ABSTAIN AND MAKE STATEMENT
ALONG LINES SUGGESTED PARA 2, REF B. FOR YOUR BACKGROUND
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HAVANA SEMINAR WAS ORGANIZED BY UN SPECIAL COMMITTEE
AGAINST APARTHEID. IN ADDITION, YOU SHOULD REMEMBER THAT
WHILE U.S. DID SUPPORT LAGOS CONFERENCE (AS STATED PARA. 2,
REF A), U.S. DELEGATION DID MAKE STATEMENT AT CONCLUSION
OF CONFERENCE THAT WE HAD SOME PROBLEMS WITH PARTS OF THE
LAGOS DECLARATION, SPECIFICALLY PARAGRAPHS 24, 26 AND 27
DEALING PRIMARILY WITH ECONOMIC AND NUCLEAR COOPERATION

WITH S.A. WE DID STRESS, HOWEVER, THAT OUR COMMITMENT REMAINED FIRM TO OPPOSE APARTHEID AND TO SUPPORT THE STRUGGLE FOR FUNDAMENTAL CHANGES IN SOUTH AFRICA.

3. AGENDA ITEM 6: RESOLUTION 1378: DEPARTMENT APPROVES PARTICIPATION IN CONSENSUS OR VOTE IN FAVOR.

4. AGENDA ITEM 7: RESOLUTION 1375: USDEL SHOULD ABSTAIN. NO STATEMENT NECESSARY.

5. AGENDA ITEM 7: RESOLUTION 1379: DEPARTMENT CONCURS IN RECOMMENDATION TO ABSTAIN AND MAKE BRIEF STATEMENT. IF ANY OTHER WEO VOTES AGAINST ALL OR PART OF RES. (SPECIFICALLY PARAS. 5-8), USDEL SHOULD ALSO VOTE NO. DEL SHOULD MAKE STATEMENT THAT WE REGARD THE APARTHEID CONVENTION TO HAVE SIGNIFICANT LEGAL IMPERFECTIONS, SUCH AS THE EXTENSION OF JURISDICTION IN THE ABSENCE OF SIGNIFICANT CON-
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TACTS BETWEEN THE OFFENSES OR OFFENDERS AND THE PROSECUTING FOREIGN STATE, AND THE VAGUENESS OF THE CRIME OF APARTHEID. THE U.S. MAINTAINS ITS VIEWS ON THE CONVENTION AS STATED IN 1973 WHEN THE CONVENTION WAS ADOPTED BY THE G.A. IN VIEW OF THIS, WE CAN NEITHER APPEAL TO STATES TO JOIN THE CONVENTION NOR REQUEST THE U.N. TO ASSIST IN NAMING PARTIES WHO HAVE ALLEGEDLY VIOLATED ITS PROVISIONS.

6. AGENDA ITEM 18B: DEPARTMENT CONCURS IN RECOMMENDATION THAT USDEL NOT PARTICIPATE. YOU SHOULD EXPLAIN THAT U.S. NON-PARTICIPATION IS CONSISTENT WITH OUR POSITION OF NON-PARTICIPATION IN ACTIVITIES OF THE DECADE AGAINST RACISM SO LONG AS THE LINK BETWEEN THE DECADE AND THE RESOLUTION EQUATING ZIONISM AND RACISM REMAINS UNBROKEN.

7. AGENDA ITEM 6: RESOLUTION 1373: DEPARTMENT APPROVES USDEL RECOMMENDATION THAT U.S. VOTE IN FAVOR OR PARTICIPATE IN CONSENSUS, ALONG WITH STATEMENT CONTAINED PARA. 7, REF. A.

8. FYI ONLY: DEPARTMENT AGREEMENT WITH YOUR VOTING RECOMMENDATIONS IS BASED ON APPRECIATION OF:

(A) ABSENCE OF SHARP CONDEMNATORY LANGUAGE IN THIS YEAR'S RESOLUTIONS COMPARED TO THOSE OF LAST YEAR; AND

(B) IMPORTANCE OF ENHANCING PROSPECTS FOR LATER ACTION BY HRC ON UGANDA. HOWEVER, IN REGARD TO DRAFT RESOLUTIONS 1375 AND 1379, DEPT. IS CONCERNED THAT LINKAGES ARE BEING BUILT WHICH MAY ULTIMATELY RESULT IN "ASSISTANCE" TO SOUTH AFRICA BEING CONSIDERED AS INTERNATIONAL CRIMINAL ACTS, PURSUANT TO ARTICLE III OF THE APARTHEID CONVENTION WHICH IS AIMED AT THOSE WHO, "IRRESPECTIVE OF THE MOTIVE INVOLVED," DIRECTLY ABET, ENCOURAGE OR COOPERATE IN THE

COMMISSION OF THE CRIME OF APARTHEID. USDEL SHOULD AD-
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WISE DEPT. IF YOU DETECT ANY SIGN THAT OTHER DELEGATIONS MAY BE THINKING ALONG THE SAME LINES. END FYI VANCE

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